

the other species. Applicant respectfully submits that this VOA is claimed in claim 16 of species A.

The Examiner further states that claim 30-32 (species F) are directed towards a MEMS VOA comprising a folded suspension having a plurality of springs not claimed in the other species. Applicant respectfully submits that this VOA is claimed at least in claim 7 of species A.


The Examiner further states that claims 33-38 (species G) are directed towards a MEMS VOA comprising at least one side electrode interacting electrostatically with the frame not claimed in the other species. Applicant respectfully submits that this VOA is claimed at least in claim 10 of species A.

The Examiner further states that claim 39-40 (species H), which are directed towards a MEMS VOA comprising a high resolution radial-to-linear actuator having at least one pre-curved spring connected to a shutter not claimed in the other species. Applicant respectfully submits that this VOA is claimed at least in claim 17 of species A.

Applicant thus respectfully submits that species A, C, D, F, G and H are not patentably distinct, the species being obvious variants. Applicant elects these patentably non-distinct species for examination.

Having traversed the restriction requirement, Applicant elects Species A (claims 1-19). Claim 1 is generic.

Respectfully submitted,



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